

1 SHELLEY D. KROHN, TRUSTEE
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8 **UNITED STATES BANKRUPTCY COURT**
9 **DISTRICT OF NEVADA**

10 In re)	Case No. BK-S 15-16063 LED
11 BROWN, MONIQUE RASHAY	)	IN PROCEEDINGS UNDER CHAPTER 7
12	)	TRUSTEE'S MOTION TO DISMISS CASE
13	)	PURSUANT TO BANKRUPTCY CODE §521(b)
14	)	Date: January 7, 2016
15	)	Time: 11:00 a.m.
	)	Place: Foley Bldg., Third Floor
)	

16 The Motion of Shelley D. Krohn (the "Trustee") to dismiss this case represents:

17 1. Debtor filed for relief under the Bankruptcy Code on 10/26/15, and the Trustee has
18 duly qualified and is now acting as the Chapter 7 Trustee of the estate of the above-referenced
19 debtor.


20 2. Title 11 of the United States Code Section 109(h)(1) provides: "... an individual may
21 not be a debtor under this title unless such individual has, during the 180-day period ending on the
22 date of filing of the petition by such individual, received from an approved nonprofit budget and
23 credit counseling agency described in section 111(a) an individual or group briefing (including a
24 briefing conducted by telephone or on the Internet) that outlined the opportunities for available credit
25 counseling and assisted such individual in performing a related budget analysis."

26 3. 11 U.S.C. §521(b) states "... a debtor who is an individual shall file with the court--
27 (1) a certificate from the approved nonprofit budget and credit counseling agency that provided the
28 debtor services under section 109(h) describing the services provided to the debtor."

1 4. In the present case, no evidence of completion of a course from an approved non-
2 profit budget and credit counseling agency has been submitted by the Debtor(s) as required by 11
3 U.S.C. §521(b).

4 WHEREFORE, Trustee prays for an order dismissing this case as the Debtor(s) are not
5 eligible pursuant to 11 U.S.C. §§109(h) and 521(b), and such other and further relief as is just and
6 proper.

7 DATED: 12/7/15


SHELLEY D. KROHN, TRUSTEE

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16 **DECLARATION OF TRUSTEE**

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18 I declare, under penalty of perjury, that the foregoing is true and correct, to the best of my
19 knowledge, information and belief.

20
21 DATED: 12/7/15


SHELLEY D. KROHN

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UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA

In re)	Case No. BK-S 15-16063 LED
)	
BROWN, MONIQUE RASHAY	)	IN PROCEEDINGS UNDER CHAPTER 7
)	
	)	ORDER DISMISSING CASE
)	
Debtor(s))	
	)	Date: January 7, 2016
	)	Time: 11:00 a.m.
	)	Place: Foley Bldg., Third Floor
)	

The Trustee's Motion to Dismiss Case came on regularly for hearing on January 7, 2016, at the hour of 11:00 a.m., before a United States Bankruptcy Judge. SHELLEY D. KROHN, Trustee, appeared personally, and other appearances are as noted on the record. The Court finding that notice was given to the Debtor, Debtor's attorney, creditors, and interested parties, no response having been filed or heard, and good cause appearing therefor,

1 IT IS HEREBY ORDERED as follows:

2 1. This Chapter 7 case is dismissed;

3 2. The Trustee is discharged from office, the Trustee's bond is exonerated and this case is
4 ordered closed; and
5

6 3. The Clerk of the Court shall provide notice to all creditors and interested parties of the
7 dismissal of this case.
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9 Submitted by:
10

11
12 _____
SHELLEY D. KROHN, TRUSTEE
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14 ALTERNATIVE METHOD re RULE 9021:
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16 In accordance with Local Rule 9021, the Trustee submitting this document certifies that the
17 order accurately reflects the court's ruling and that (check one):

18 _____ The Court waived the requirement set forth in LR9021(b)(1).

19 _____ No parties appeared at the hearing or filed an objection to the motion.

20 _____ I have delivered a copy of this proposed order to all counsel who appeared at the
21 hearing, and any unrepresented parties who appeared at the hearing, and each has approved or
22 disapproved the order, or failed to respond, as indicated below [list each party and whether the party
23 has approved, disapproved, or failed to respond to the document]:
24

25 X I certify that this is a case under Chapter 7 or 13, that I have served a copy of this
26 order with the motion pursuant to LR 9014(g), and that no party has objected to the form or content
27 of the order.
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